

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
NOVEMBER 17, 1976

The regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, November 17, 1976 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - EHRHARDT, KATNICH, KATZAKIAN, PINKERTON AND HUGHES (MAYOR)

Absent: Councilmen - None

Also Present: City Manager Glaves, City Attorney Mullen, Public Works Director Ronsko, Assistant City Manager Glenn and Community Development Director-Deputy City Clerk Schroeder.

INVOCATION

The invocation was given by Reverend Dave Baker of the Grace Presbyterian Church.

PLEDGE

Mayor Hughes led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Katnich, Ehrhardt second, the Minutes of October 27, 1976 were approved as mailed.

PUBLIC HEARINGS

VACATE PORTIONS
OF EASEMENT-
LOTS 177-190
LAKEWOOD UNIT #4

Notice thereof having been published and posted in accordance with law and affidavits of publication and posting being on file in the office of the City Clerk, Mayor Hughes called for the public hearing on the proposed vacation of portions of an easement to the rear of Lots 177-190 of Lakewood Unit #4 (i.e. 1900-2028 Edgewood Drive).

Public Works Director Ronsko introduced the matter and stated the Planning Commission had determined that no public need existed for the proposed abandoned portions of the easement.

Mr. Marlow Stark, 1942 Edgewood Drive, was present and urged the Council to approve the abandonment.

ORDER TO VACATE
ACCEPTED

As no one else wished to be heard on this matter, the public portion of the hearing was closed. On motion of Councilman Katzakian, Katnich second the Council adopted an order vacating a portion of an easement to the rear of Lots 177-190, Lakewood Unit #4.

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PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of November 8, 1976:

The Planning Commission:

FLOODPLAIN ZONE AMENDMENTS

1. Recommended that the F-P, Floodplain Zoning District be amended to conform with the adopted Open Space-Conservation Element of the General Plan.

On motion of Councilman Katnich, Katzakian second, the matter was set for Public Hearing on December 15, 1976.

ITEMS OF INTEREST

The Planning Commission also:

1. Continued final consideration of the request of Mr. Vernon Ekstrom to rezone an area on the west side of Academy Street between 385 feet and 565 feet south of Kettleman Lane from R-2, Single-Family Residential to R-MD, Medium Density Multiple Family Residential.

The matter was continued in order that the Public Works Director could present the Planning Commission with a report concerning sanitary sewage and terminal storm drainage south of East Kettleman Lane in the area of Voelker Drive, Academy Street, Elgin Drive and Valley Drive.

2. Approved the request of Mr. Bill Stemler for a Variance to permit the erection of a 6-foot masonry fence in the street side yard (i.e., West Lodi Avenue) and a 4-foot fence in the front yard area (i.e., South Sunset Avenue), at 1200 West Lodi Avenue in an area zoned R-2, Single-Family Residential.

COMMUNICATIONS

RES. PROTESTING EXECUTION OF A CALIFORNIA LAND CONSERVATION CONTRACT

RES. NO. 4281

Following introduction of the matter by Public Works Director Ronsko and Community Development Director Schroeder, Council, on motion of Councilman Katnich, Katzakian second, adopted Resolution No. 4281 protesting execution of a California Land Conservation Contract as initiated by Albertus M. Warmerdam and Frances A. Warmerdam regarding San Joaquin County Assessor's Parcels Nos. 029-020-15 and 029-020-28 through 34.

VIRGINIA AVE. ST. LT. DISTRICT

A petition was presented for installation of street lights along the 300, 400, 500 and 600 blocks of Virginia Avenue between West Lodi Avenue and West Tokay Street. The City Clerk had examined and checked the signatures on the petition and had certified that said petition contains signatures of the owners of more than 60% of the property described in the petition. The petitioners waived the

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VIRGINIA AVE,
ST. LT, DISTRICT
(Continued)

investigation provided for by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931" in connection with the installation. Plans and specifications for the proposed district were also presented for Council approval by the City Manager.

RES, NO, 4282

On motion of Councilman Ehrhardt, Katzakian second the Council adopted Resolution No. 4282 adopting the plans and specifications for the Virginia Avenue Street Lighting District.

RES, NO, 4283

On motion of Councilman Ehrhardt, Katzakian second, Council adopted Resolution No. 4283 stating the Council's intention to form the Virginia Avenue Street Lighting District and setting the hearing thereon for Wednesday, December 8, 1976 at 8:00 p.m.

CROSSWALKS
VIRGINIA AVE, &
LODI AVE,

Councilman Ehrhardt stated that he had received a suggestion to install pedestrian crosswalks across West Lodi Avenue at Virginia Avenue because of all the high school students crossing in that location.

The Public Works Director stated that the City did not normally install crosswalks at "T" intersections but he would have his staff study the matter and report back to the City Council.

LETTER, MAYOR OF
KOFU, JAPAN RE
SISTER CITY
RELATIONSHIP

Mayor Hughes read a letter from Mayor Chikayoshi Kawaguchi of Kofu, Japan which sent greetings and hoped for good will and understanding through the Sister City Program. Enclosed with the letter was art work and writing from students in the intermediate schools.

Councilman Katnich stated that he was making arrangements to send art work from Lodi's High Schools to Mayor Kawaguchi and said that he was promoting a teacher exchange between the two cities.

REPORTS OF THE
CITY MANAGER

In accordance with the reports and recommendations of the City Manager, the following actions hereby set forth between asterisks were approved by Council on motion of Councilman Katnich, Ehrhardt second.

CONSENT
CALENDAR

CLAIMS

Claims were approved in the amount of \$194,816.75.

AWARD, HAM LANE
MEDIAN-ARUNDEL
CT, TO CENTURY
BLVD.

Bids for "Ham Lane Median-Arundel Court to Century Boulevard" were presented to the Council by the City Manager as follows:

RES, NO, 4284

<u>Bidder</u>	<u>Amount</u>
H. Max Lee, Inc.	\$19,280.00
Teichert Construction	\$22,168.00

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AWARD-HAM LANE
MEDIAN-ARUNDEL
CT. TO CENTURY
BLVD.

The City Manager recommended that award be made to the low bidder, H. Max Lee, Inc.

RES, NO, 4284 (Copt)

RESOLUTION NO. 4284

RESOLUTION AWARDING THE CONTRACT FOR HAM LANE MEDIAN - ARUNDEL COURT TO CENTURY BOULEVARD TO H. MAX LEE, INC., THE LOW BIDDER, IN THE AMOUNT OF \$19,280.00.

AWARD-LANE LINE
PAINTING

Bids for the "Lane Line Painting" were presented to Council by the City Manager as follows:

RES. NO. 4285

<u>Bidder</u>	<u>Amount</u>
Dimond & Pensotti, Inc.	\$5,410.78
Safety Striping Service, Inc.	\$6,490.91
Traffic Limited	\$7,112.15
Lane Tech	\$7,946.56

The City Manager recommended that award be made to the low bidder, Dimond & Pensotti, Inc.

RESOLUTION NO. 4285

RESOLUTION AWARDING THE CONTRACT FOR LANE LINE PAINTING TO DIMOND & PENSOTTI, INC., THE LOW BIDDER, IN THE AMOUNT OF \$5,410.78.

AWARD-CATCH
BASIN REPLACEMENT

Bids for "Catch Basin Replacement" were presented to Council by the City Manager as follows:

RES. NO. 4286

<u>Bidder</u>	<u>Amount</u>
H. Max Lee, Inc.	\$16,942.00
Teichert Construction	\$19,897.50
McGaw Company	\$22,402.00

The City Manager recommended that award be made to the low bidder, H. Max Lee, Inc.

RESOLUTION NO. 4286

RESOLUTION AWARDING THE CONTRACT FOR CATCH BASIN REPLACEMENT TO H. MAX LEE, INC., THE LOW BIDDER, IN THE AMOUNT OF \$16,942.00.

AWARD-COMPACT
AUTOMOBILE-
PUBLIC WORKS

Bids for a compact automobile were presented to Council by the City Manager as follows:

RES, NO. 4287

<u>Bidder</u>	<u>Amount</u>
Geweke Ford	\$3,921.55

The City Manager apprised Council that it had been determined that the above bid was a reasonable bid and recommended that the award be made to Geweke Ford.

AWARD-COMPACT
AUTOMOBILE-
PUBLIC WORKS

RES. NO. 4287
(Continued)

RESOLUTION AWARDING THE CONTRACT
FOR A COMPACT CAR FOR THE PUBLIC
WORKS DEPARTMENT TO GEWEKE FORD,
THE ONLY BIDDER, IN THE AMOUNT OF
\$3,921.55.

ELM STREET
CURB, GUTTER &
SIDEWALK
REPLACEMENT-
ACCEPTED

Council was apprised that the contract for
"Elm Street Curb, Gutter and Sidewalk Replace-
ment" which was awarded to H. Max Lee, Inc.
on September 1, 1976 in the amount of \$17,720.00
has been completed in substantial conformance
with the plans and specifications approved by the
City Council with the final contract price being
\$17,960.00.

COUNCIL ACCEPTED THE IMPROVEMENTS IN
"ELM STREET CURB, GUTTER AND SIDEWALK
REPLACEMENT" AND DIRECTED THE PUBLIC
WORKS DIRECTOR TO FILE A NOTICE OF
COMPLETION WITH THE COUNTY RECORDER'S
OFFICE.

VINE STREET STORM
DRAIN-700 FEET
EAST OF LOWER
SACRAMENTO RD-
ACCEPTED

Council was apprised that the contract for the
"Vine Street Storm Drain - 700 Feet East of
Lower Sacramento Road" which was awarded to
Teichert Construction of Stockton on September 1,
1976 in the amount of \$7,325.00 has been com-
pleted in substantial conformance with the plans
and specifications approved by the City Council
with the final contract price being \$7,386.50.

COUNCIL ACCEPTED THE IMPROVEMENTS IN
"VINE STREET STORM DRAIN-700 FEET EAST
OF LOWER SACRAMENTO ROAD" AND
DIRECTED THE PUBLIC WORKS DIRECTOR TO
FILE A NOTICE OF COMPLETION WITH THE
COUNTY RECORDER'S OFFICE.

ACCEPTANCE OF
SUNWEST UNIT #1

RES. NO. 4288

Council was apprised that Subdivision Improve-
ments in Sunwest Subdivision, Unit #1 have been
completed in substantial conformance with the
requirements of the subdivision agreement be-
tween the City of Lodi and John F. and Arvilla Y.
Capell and Chris R. and La Veta Keszler dated
June 24, 1974 and as specifically set forth in the
plans and specifications approved by the City
Council. The developer has deposited with the
City of Lodi \$10,600.00 to cover the final asphalt
concrete surfacing as set forth in the Agreement.
The streets to be accepted are as follows:

<u>Streets</u>	<u>Length in Miles</u>
Tilden Drive	0.18
Cochran Road	0.00

RESOLUTION NO. 4288

RESOLUTION ACCEPTING THE SUBDIVISION
IMPROVEMENTS AND STREETS INCLUDED
IN TRACT 1028, SUNWEST, UNIT #1.

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REQUEST TO SUPPORT
ESTABLISHMENT OF A
ZONE UNDER S.J. CO.
FLOOD CONTROL AND
WATER CONSERVATION
DISTRICT

Mayor Hughes stated that the Council had continued from the November 3, 1976 Council meeting consideration of the request of the East San Joaquin Water Users Association of the San Joaquin County Board of Supervisors to create a Conservation Zone under the San Joaquin County Flood Control and Water Conservation District so that a representative might be present to explain the proposal.

Mr. Stewart C. Adams, Jr., Legal Counsel, North San Joaquin Water Conservation District, 121 West Pine Street, was present and explained the function of the proposed District, what it intends to accomplish, how it will be funded and where the money will be spent.

He further explained the importance of the study to both the City and his District and reminded the Council of the continuing fight to obtain all previously promised water from the Folsom South Canal.

RES. NO. 4289

The Council, on motion of Councilman Katnich, Pinkerton second, adopted Resolution 4289 urging the creation of Water Conservation Zone No. 1 by the San Joaquin County Flood Control and Water Conservation District.

REFUSE COLLECTION
RATES - DISCUSSION

City Manager Graves stated that the Assistant City Manager and Finance Director have been reviewing the 1976-77 Budget of the Sanitary City Disposal Company and asked the Assistant City Manager to present the report.

Assistant City Manager Glenn reviewed the Franchise Agreement and stated that according to the formula for profits for the Company (i.e. cost plus 12% of adjusted assets, plus one and one-half times a division head's salary), Sanitary City Disposal Company would be entitled to an additional \$67,835.00 in 1976-77 and \$30,344.00 for 1975-76 operations. He explained that in order to return the total funds of \$116,838.00 to the Company, rates to all customers must be increased 22.77%. Mr. Glenn presented three alternatives for rate increases: (1) raise residential and commercial rates equally; (2) adopt commercial rates rather than have the Company individually bargain these rates; and (3) make no change in policy.

Mr. Dario DeBenedetti, Manager, Sanitary City Disposal Company, 18012 North Cluff Road was present and discussed this matter with and answered questions of the Council.

After a lengthy discussion, Council upon motion of Councilman Katzakian; Ehrhardt second, continued the discussion of refuse rates until December 8, 1976 at which time the staff and a Company representative are to present a study of the Company's

REFUSE COLLECTION
RATES - DISCUSSION
(Continued)

RECESS

DESIGN STANDARDS FOR
SUBDIVISIONS AND
DEVELOPMENTS

RES. NO, 4290

PROPOSED "BINGO"
ORDINANCE

RETAIN CONSULTANT
LODI LAKE WILDERNESS
AREA

Minutes of November 17, 1976, continued

commercial rates and the proposal by Mayor Hughes to revise the formula to include the salary of a department head in addition to a division head so as to compensate the Company for added management positions.

Mayor Hughes declared a recess at 10:16 p.m. The meeting was reconvened at 10:25 p.m.

Public Works Director Ronsko presented new Design Standards for subdivision and developments and explained that these had been developed in cooperation with local contractors, engineering design firms and material suppliers. The major recommended changes made: (1) Require subdivision streets to be paved at the time of development; (2) Lengthen cul-de-sacs from 400 feet to 500 feet maximum; (3) Increased pavement cross slope from 2% to 2.5%; (4) Reduced density in apartment zoning for calculation of sewer flows; (5) Provided for alternate types of pipe materials; (6) Increased runoff coefficient for industrial and commercial areas for use in calculating storm flows; and (7) Provided for alternate types of pipe materials for storm drains.

Council on motion of Councilman Ehrhardt, Katzakian second adopted Resolution No. 4290 approving the Design Standards for Subdivisions and Developments dated November 1976.

Mayor Hughes stated that in the June 1976 Primary Election, the people of the State of California approved a Ballot measure which legalized Bingo games by non-profit organizations.

City Manager Graves presented a proposed Ordinance allowing Bingo games in the City of Lodi for benefit of charitable organizations. He explained that Sections 1 through 11 spelled out the legal procedures for games in the City Limits and that Sections 12 to the end of the proposed ordinance were from State law as enacted by the electorate,

Mayor Hughes expressed a number of concerns about the Ordinance and stated he felt things should be left as they are.

Council, on motion of Councilman Pinkerton, Ehrhardt second, tabled the proposed "Bingo" Ordinance,

The City Manager recommended that the City retain Morris-Wanell Associates, Architects, and Resources Ecology Associates which will form a joint venture known as Environmental Recreation Associates to prepare plans and specifications for certain construction work in the Lodi Lake Wilderness Area and a management plan for the area for the amount of \$10,924.00.

Minutes of November 17, 1976, continued

RETAIN CONSULTANT
LODI LAKE WILDERNESS
AREA (Continued)

After discussion, Council on motion of Councilman Katnich, Katzakian second, approved retaining Environmental Recreation Associates to prepare plans and specifications for certain construction work in the Lodi Lake Wilderness Area and a Wilderness management plan for the area.

SPECS APPROVED 30 IN,
STORM DRAIN- RIVERGATE
SUBDIVISION

Following introduction of the matter by City Manager Glaves, on motion of Councilman Katzakian, Katnich second, Council approved plans and specifications for a 30-inch storm drain in the Rivergate-Mokelumne Subdivision and authorized the Purchasing Agent to advertise for bids thereon.

JOB SPECS - SEWER
PLANT OPR, AND SEWER
PLANT OPR, IN TRAINING

Following introduction of the matter by the City Manager and further explanation by the Public Works Director, on motion of Councilman Katzakian, Ehrhardt second, Council approved the job specifications for Sewer Plant Operator and Sewer Plant Operator in Training.

AMEND LABOR RELATIONS
RES. -MANAGEMENT
EMPLOYEES

City Manager Glaves explained that the present Resolution implementing the "Meyers-Millias-Brown Act" makes no provision for recognizing or designating Management Employees in the classified service. He stated that after consulting with the employee's labor groups and obtaining favorable recommendation from the City's Labor Attorney, Mr. Richard Whitmore, it is recommended that Resolution 3312 implementing the "Meyers-Millias-Brown Act" be rescinded and a new resolution encompassing Resolution 3312 and the following Section 10(C) be adopted:

"The Employee Relations Officer shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions; delineate eliminated classifications or positions; designate management and confidential employees; and retain, reallocate or delete modified classifications and positions for units in accordance with the provisions of this section".

RES. NO, 4291

On motion of Councilman Pinkerton, Ehrhardt second, Council adopted Resolution No. 4291 which rescinds Resolution No. 3312 and encompasses the above paragraph as well as all other data included in Resolution No. 3312.

SPECS APPROVED-1-TON
TRUCK-PUBLIC WORKS
EPT,

Specifications for a One Ton Truck for the Public Works Department were presented to the Council for its perusal. On motion of Councilman Katnich, Ehrhardt second, Council approved the plans and specifications for a one-ton truck for the Public Works Department and authorized the Purchasing Agent to advertise for bids thereon.

FLORA ST, ST, LIGHT.
DISTRICT-REPORT

30-1060-17

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At the Council meeting of November 3, 1976, Mr. W. G. Koehler indicated to the Council that the Flora Street Street Lighting District caused him the following concerns: (1) the amount of lighting on the street; (2) the conduit not having a typical location and (3) the turf replacement being substandard.

The City Manager presented a report from the Public Works Director which explained the reason for meandering conduit; stated the lighting district met established lighting standards and indicated that additional emphasis would be placed on turf replacement.

Council thanked Mr. Ronsko for his thorough study and report on this matter.

CURBSIDE MAIL
DELIVERY

31-7101

The City Manager presented a report from the Community Development Director which indicated that Mr. James Huber, Lodi Postmaster, had informed the City that effective immediately, mail service to new residences will be provided at curb-line rather than at the back of the sidewalk.

The Public Works Director presented a drawing which showed that under this requirement, mailboxes in Lodi would be placed within the sidewalk area. He stated that he would not issue encroachment permits for mailboxes in the sidewalk unless so directed by the Council.

Councilman Katzakian stated that the staff report contained the same information that his Company and other firms had received from the Post Office. He also reviewed the last four years in which the Postal Service has either changed the location or number of mailboxes per pole on three different occasions.

On motion of Councilman Ehrhardt, Katzakian second, the Council authorized the Mayor to direct a letter to the Postmaster General and other regional postal authorities stating the City's objection to the requirement of residential curbside mail delivery and asking to be released from this requirement because of local conditions.

MANDATED FIRE
MANNING STANDARDS

32-21

The City Manager presented a report from the Fire Chief which indicated that the State of California, Assembly Select Committee on Fire Service was conducting a public hearing on November 19, 1976 in Los Angeles to consider establishing legislation for manning requirements for the Fire Services in the State of California. The report recommended that the City Council go on record as opposing any mandated manning level for fire suppression crews or fire apparatus, and further, that the level of Fire protection provided to the taxpayers of any agency, is the responsibility of those taxpayers through their local elected officials.

Minutes of November 17, 1976, continued

MANDATED FIRE
MANNING STANDARDS
(Continued)

On motion of Councilman Ehrhardt, Katzakian second, Council instructed the Fire Chief to oppose, on behalf of the City, any legislation mandating fire manning standards and, if appropriate, appear before the Assembly Select Committee on Fire Service and present the City's position.

AB 3121

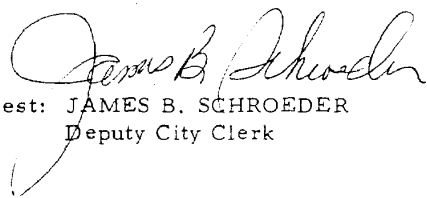
Councilman Ehrhardt reported on AB 3121 which becomes law January 1, 1977 which bill does not permit the arrest of juvenile offenders. He asked Mayor Hughes to write to the President of the League of California Cities and to the City's State Senator and Assemblyman urging the repeal of the legislation.

CAC REPRESENTATIVE

Mayor Hughes appointed Councilman Katzakian as the City's representative on the Community Action Council replacing Assistant Planner Gregory C. Freitas who had resigned.

ADJOURNMENT

There being no further business, at approximately 11:50 p.m. Mayor Hughes adjourned the meeting on motion of Councilman Katnich, Ehrhardt second.


Attest: JAMES B. SCHROEDER
Deputy City Clerk